

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

NYDIA TISDALE,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:16-cv-00092-RWS
v.	)	
	)	
CAPTAIN HENRY ANTHONY	)	<b>JURY TRIAL DEMANDED</b>
WOOTEN, in his individual capacity,	)	
CORPORAL LAURA BISHOP, in her	)	
individual capacity, CORPORAL	)	
RUSSELL SMITH, in his individual	)	
capacity,	)	
	)	
Defendants.	)	

**JOINT STATUS REPORT**

Plaintiff Nydia Tisdale (“Ms. Tisdale”) filed this action seeking relief pursuant to 42 U.S.C. § 1983, alleging (among other claims) that Defendants maliciously prosecuted and falsely arrested her, in violation of her rights under the Fourth and Fourteenth Amendments to the United States Constitution.<sup>1</sup> Defendants moved to stay the case pending final disposition of criminal charges that were filed against Ms. Tisdale relating to the same events that gave rise to those claims.<sup>2</sup> Ms.

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<sup>1</sup> Dkt. 1, ¶¶ 76-87, 104-111.

<sup>2</sup> Dkt. 20, *passim*.

Tisdale did not oppose the stay.<sup>3</sup> The Court granted Defendants’ motion and stayed “all proceedings in this action . . . pending disposition of [the] criminal charges against the Plaintiff that form the basis for the Complaint in this case.”<sup>4</sup> In the same Order, the Court instructed Ms. Tisdale to “notify the Court upon final disposition of the criminal charges against her . . . .”<sup>5</sup> On December 15, 2020 the Court instructed the parties to file a status report regarding the matter.<sup>6</sup>

There has not yet been a final disposition of one of the criminal charges against Ms. Tisdale involving the events that gave rise to the claims she asserts in this matter. Ms. Tisdale’s criminal trial concluded approximately three years ago. She was acquitted of most of the charges against her, but the jury found her guilty of a single count of misdemeanor obstruction of a law enforcement officer. Ms. Tisdale filed an appeal from that conviction, based in part on the inconsistency of the jury’s verdict. Ms. Tisdale’s appeal is currently pending before the Supreme Court of Georgia, but that Court has not yet issued any decision on the appeal or scheduled the case for argument. Thus, there has not yet been a complete and final disposition of the criminal charges related to the claims Ms. Tisdale asserts in this

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<sup>3</sup> Dkt. 22, *passim*

<sup>4</sup> Dkt. 23 at 1.

<sup>5</sup> *Id.*

<sup>6</sup> Dkt. 42.

case. As the Court previously ordered, Ms. Tisdale will notify the Court promptly upon final disposition of all criminal charges filed against her.

Respectfully submitted this 28th day of December, 2020.

/s/ Michael A. Caplan

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I caused the foregoing to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of the filing to all counsel of record.

This 28th day of December, 2020.

/s/ Michael A. Caplan

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